



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

JEFFREY F. FRANK
Assistant Corporation Counsel
Email: jefrank@law.nyc.gov
Cell: (929) 930-0780
Tel: (212) 356-3541

April 14, 2023

VIA ECF

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Xiamin Zeng v. City of New York, et al.*,
19 Civ. 3218 (JGK) (KHP)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York and Detective Danielle Febus in the above-referenced matter. Defendants write to inform the Court that their motion for summary judgment has been fully briefed, as plaintiff failed to file any opposition.

By way of background, defendants filed their motion papers on March 10, 2023. Plaintiff's opposition was due two weeks ago, on March 31, 2023. (ECF No. 108). Since then, plaintiff's counsel has not communicated with the undersigned to request any extension of time, or otherwise. Defendants' deadline to file a reply is today, April 14, 2023. The Court should deem defendants' motion unopposed and fully briefed.

Pursuant to Rule II.C. of Your Honor's Individual Practices, defendants are providing the Court with two sets of courtesy copies of the following documents—via mail and email:

- Notice of motion for summary judgment, dated March 10, 2023 (ECF No. 110);
- Declaration of Jeffrey F. Frank in support, dated March 10, 2023, and the exhibits annexed thereto (ECF No. 111);
- Statement of Undisputed Facts pursuant to Local Civil Rule 56.1, dated March 10, 2023 (ECF No. 112); and
- Memorandum of Law in support, dated March 10, 2023 (ECF No. 113).

Defendants thank the Court for its consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey Frank", written over a horizontal line.

Jeffrey F. Frank
Assistant Corporation Counsel
Special Federal Litigation Division

cc: All Counsel (via ECF)